

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Vincent Schouten et al.

Serial No.: 08/937,443

Filed: September 25, 1997

Docket No.: P-4782

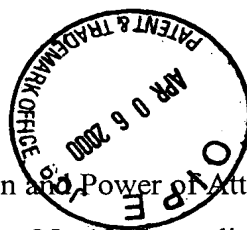
Title: SYSTEM AND METHOD FOR RESPIRATION - MODULATED
PACING

SUPPLEMENTAL COMBINED DECLARATION AND POWER OF ATTORNEY

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Via Courier

Dear Sir/Madam:



Further to the Combined Declaration and Power of Attorney filed along with the above-identified patent application on September 25, 1997, applicants now direct the Examiner's attention to the fact that the above-mentioned Declaration was signed by only one of the co-inventors.

Applicants, therefore, hereby submit a signed Supplemental Declaration with both signatures to ensure that the same will be properly noted on the above-identified patent application.

The examiner is encouraged to call the undersigned at (612) 574-3279 to discuss any matters pertaining to the above application.

Respectfully submitted,
VINCENT SCHOUTEN ET AL.
By one of their attorneys,

A handwritten signature in black ink, appearing to read "Michael J. Jaro".

Michael J. Jaro
Registration No. 34,472
MEDTRONIC, INC.
7000 Central Avenue Northeast
Minneapolis, Minnesota 55432
Telephone: (612) 574-3279

27 April 98
Date



United States Patent Application

SUPPLEMENTAL COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: SYSTEM AND METHOD FOR RESPIRATION - MODULATED PACING.

The specification of which

a. is attached hereto

b. X was filed on 09/25/97 as application serial no. 08/937,443 and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. filed and as amended on (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).¹

I hereby claim foreign priority benefits under Title 35, United States Code, §119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

a. X no such applications have been filed.

b. such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC §119

COUNTRY	APPLICATION NUMBER	DATE OF FILING	DATE OF ISSUE

ALL FOREIGN APPLICATIONS, IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)

COUNTRY	APPLICATION NUMBER	DATE OF FILING	DATE OF ISSUE

I hereby claim the benefit under Title 35, United States Code, §1120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §156(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

¹

§ 1.56 Duty of disclosure; fraud, striking or rejection of applications.

(a) A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material where there is substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.

U.S. APPLICATION NUMBER	DATE OF FILING	STATUS (patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Harold R. Patton	Reg. No. 22,157	Michael B. Atlass	Reg. No. 30,606
Reed A. Duthler	Reg. No. 30,626	Michael J. Jaro	Reg. No. 34,472
Daniel W. Latham	Reg. No. 30,401	Dianne M.F. Plunkett	Reg. No. 35,649
Curtis D. Kinghorn	Reg. No. 33,926		

Please direct all correspondence in this case to: Medtronic, Inc.
7000 Central Avenue N.E.,
Minneapolis, Minnesota 55432
Telephone No. (612) 574-3156

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2 0 1	Full Name of Inventor	FIRST NAME Alexis	MIDDLE INITIAL C. M.	LAST NAME Renirie
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SIGNATURE OF INVENTOR 201				DATE 24-04-'98
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SIGNATURE OF INVENTOR 202				DATE 24 april '98
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SIGNATURE OF INVENTOR 203				DATE

___ Additional pages for fourth and subsequent inventors attached.

x This Declaration ends with this page.